

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
FAYETTEVILLE DIVISION

ANTONIO RODRIGUEZ

PLAINTIFF

v.

Civil No. 06-5062

SHERIFF TIM HELDER;  
and DR. HOWARD

DEFENDANTS

**ORDER**

Defendants have filed a motion for summary judgment (Doc. 15). To assist plaintiff in responding to the summary judgment motion, the undersigned is propounding a questionnaire. The court will consider plaintiff's response to the questionnaire in issuing a report and recommendation on the summary judgment motion.

For this reason, Antonio Rodriguez is hereby directed to complete, sign, and return the attached response to defendants' summary judgment motion on or before **July 26, 2007**. **Plaintiff's failure to respond within the required period of time may subject this matter to dismissal for failure to comply with a court order.**

IT IS SO ORDERED this 22nd day of June 2007.

/s/ J. Marschewski

HON. JAMES R. MARSCHEWSKI  
UNITED STATES MAGISTRATE JUDGE

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
FAYETTEVILLE DIVISION

ANTONIO RODRIGUEZ

PLAINTIFF

v.

Civil No. 06-5062

SHERIFF TIM HELDER;  
and DR. HOWARD

DEFENDANTS

**RESPONSE TO SUMMARY JUDGMENT MOTION**

TO: ANTONIO RODRIGUEZ

These questions and answers will serve as your response to the motion for summary judgment filed by the defendants. You may use additional sheets of paper in responding to these questions. You must file this response by **July 26, 2007**.

1. On November 5, 2005, you were booked into the Washington County Detention Center (WCDC) on charges of breaking and entering, theft of property, and on a hold for another agency.

Agree\_\_\_\_\_ Disagree\_\_\_\_\_ Without knowledge to agree or disagree\_\_\_\_\_.

If you disagree, explain. In explaining, please refer to the Defendants' Exhibit 1 at page 1.

---

---

---

---

2. You completed a medical intake questionnaire and indicated no health problems other than that you could not eat onions.

Agree\_\_\_\_\_ Disagree\_\_\_\_\_ Without knowledge to agree or disagree\_\_\_\_\_.

If you disagree, explain. In explaining, please refer to Defendants' Exhibit 2 at page 1.

---

---

---

---

3. You signed a Washington County Sheriff's Department medical release and consent for medical services form on November 5, 2005, agreeing to request medical treatment in writing and holding the jail harmless from any pre-existing injuries or illnesses.

Agree\_\_\_\_\_ Disagree\_\_\_\_\_ Without knowledge to agree or disagree\_\_\_\_\_.

If you disagree, explain. In explaining, please refer to Defendants' Exhibit 2 at page 2.

---

---

---

---

4. You signed an inmate medical insurance information form on November 5, 2005, agreeing to be responsible for your medical bills.

Agree\_\_\_\_\_ Disagree\_\_\_\_\_ Without knowledge to agree or disagree\_\_\_\_\_.

If you disagree, explain. In explaining, please refer to Defendants' Exhibit 2 at page 3.

---

---

---

---

5. On November 6, 2005, you were released from the WCDC after securing bail from Bail Bonds Now, Inc.

Agree \_\_\_\_\_ Disagree \_\_\_\_\_ Without knowledge to agree or disagree \_\_\_\_\_.

If you disagree, explain. In explaining, please refer to Defendants' Exhibit 1 at pages 3 & 4.

---

---

---

---

6. On December 6, 2005, a post-arrest warrant was issued by the Washington County Circuit Court for your arrest for breaking or entering, a class D felony.

Agree \_\_\_\_\_ Disagree \_\_\_\_\_ Without knowledge to agree or disagree \_\_\_\_\_.

If you disagree, explain. In explaining, please refer to Defendants' Exhibit 1 at page 5.

---

---

---

---

7. On December 6, 2005, a felony information was filed against you in the Washington County Circuit Court for breaking and entering a vehicle and taking a watch, stereo remote, two small speakers, a gold chain, a ring, and a cell phone.

Agree \_\_\_\_\_ Disagree \_\_\_\_\_ Without knowledge to agree or disagree \_\_\_\_\_.

If you disagree, explain. In explaining, please refer to Defendants' Exhibit 1 at page 6.

---

---

---

---

8. On December 7, 2005, you were booked into the WDCD on charges of no proof of insurance, no drivers license, and traffic violations.

Agree \_\_\_\_\_ Disagree \_\_\_\_\_ Without knowledge to agree or disagree \_\_\_\_\_.

If you disagree, explain. In explaining, please refer to Defendants' Exhibit 1 at page 8.

---

---

---

---

9. On December 7, 2005, you signed another medical release and consent for medical

services form.

Agree \_\_\_\_\_ Disagree \_\_\_\_\_ Without knowledge to agree or disagree \_\_\_\_\_.

If you disagree, explain. In explaining, please refer to Defendants' Exhibit 2 at page 4.

---

---

---

---

10. You also signed on December 7, 2005, another medical insurance information form agreeing to be responsible for your medical expenses.

Agree \_\_\_\_\_ Disagree \_\_\_\_\_ Without knowledge to agree or disagree \_\_\_\_\_.

If you disagree, explain. In explaining, please refer to Defendants' Exhibit 2 at page 5.

---

---

---

---

11. On December 8, 2005, you completed a medical questionnaire indicating you had no health problems.

Agree \_\_\_\_\_ Disagree \_\_\_\_\_ Without knowledge to agree or disagree \_\_\_\_\_.

If you disagree, explain. In explaining, please refer to Defendants' Exhibit 2 at page 6.

---

---

---

---

12. You were released on a misdemeanor citation on December 8, 2005.

Agree \_\_\_\_\_ Disagree \_\_\_\_\_ Without knowledge to agree or disagree \_\_\_\_\_.

If you disagree, explain. In explaining, please refer to Defendants' Exhibit 1 at page 9.

---

---

---

---

13. You were to appear in court on January 6, 2006, at 8:00 a.m.

Agree \_\_\_\_\_ Disagree \_\_\_\_\_ Without knowledge to agree or disagree \_\_\_\_\_.

If you disagree, explain. In explaining, please refer to Defendants' Exhibit 1 at page 9

---

---

---

---

14. On December 18, 2005, you were booked back into the WCDC on charges of possession with intent to manufacture, simultaneous possession of drugs and a firearm, being a felon in possession of a firearm, and possession of drug paraphernalia.

Agree\_\_\_\_\_ Disagree\_\_\_\_\_ Without knowledge to agree or disagree\_\_\_\_\_.

If you disagree, explain. In explaining, please refer to Defendants' Exhibit 1 at page 10.

---

---

---

---

15. On December 18, 2005, you completed a medical questionnaire and indicated you had no health problems.

Agree\_\_\_\_\_ Disagree\_\_\_\_\_ Without knowledge to agree or disagree\_\_\_\_\_.

If you disagree, explain. In explaining, please refer to Defendants' Exhibit 2 at page 7.

---

---

---

---

16. On December 18, 2005, you signed a medical release and informed consent for medical services and medical insurance information form.

Agree\_\_\_\_\_ Disagree\_\_\_\_\_ Without knowledge to agree or disagree\_\_\_\_\_.

If you disagree, explain. In explaining, please refer to Defendants' Exhibit 2 at pages 8 and 9.

---



---

---

---

17. On December 19, 2005, you bonded out of the WCDC.

Agree \_\_\_\_\_ Disagree \_\_\_\_\_ Without knowledge to agree or disagree \_\_\_\_\_.

If you disagree, explain. In explaining, please refer to Defendants' Exhibit 1 at page 12.

---

---

---

---

18. On January 17, 2006, you were arrested for failure to appear and on holds for other departments and booked back into the WCDC.

Agree \_\_\_\_\_ Disagree \_\_\_\_\_ Without knowledge to agree or disagree \_\_\_\_\_.

If you disagree, explain. In explaining, please refer to Defendants' Exhibit 1 at page 13.

---

---

---

---

19. On December 17, 2006, you completed a medical intake questionnaire and indicated you were allergic to onions but had no other health problems.

Agree\_\_\_\_\_ Disagree\_\_\_\_\_ Without knowledge to agree or disagree\_\_\_\_\_.

If you disagree, explain. In explaining, please refer to Defendants' Exhibit 2 at page 10.

---

---

---

---

20. You signed a medical release and informed consent for medical services on which you agreed to request medical treatment in writing and agreed to be responsible for your own medical bills.

Agree\_\_\_\_\_ Disagree\_\_\_\_\_ Without knowledge to agree or disagree\_\_\_\_\_.

If you disagree, explain. In explaining, please refer to Defendants' Exhibit 2 at page 11.

---

---

---

---

21. On January 26, 2006, you asked for and were provided with the address of the Springdale Jail.

Agree\_\_\_\_\_ Disagree\_\_\_\_\_ Without knowledge to agree or disagree\_\_\_\_\_.

If you disagree, explain. In explaining, please refer to Defendants' Exhibit 3 at page 1.

---

---

---

---

22. On February 2, 2006, you submitted a medical request asking to be moved to D pod because it was very noisy where you were and you could not sleep at night. In response, you were told that people were only moved for the safety and security of the facility.

Agree\_\_\_\_\_ Disagree\_\_\_\_\_ Without knowledge to agree or disagree\_\_\_\_\_.

If you disagree, explain. In explaining, please refer to Defendants' Exhibit 3 at page 2.

---

---

---

---

23. On February 5, 2006, you submitted a request stating your Father, who was 70 years old, was going to have surgery down in Mexico. You asked that the jail contact immigration and ask them to send you to Mexico as soon as possible.

Agree\_\_\_\_\_ Disagree\_\_\_\_\_ Without knowledge to agree or disagree\_\_\_\_\_.

If you disagree, explain. In explaining, please refer to Defendants' Exhibit 3 at page 4.

---

---

---

---

24. On February 2, 2006, you submitted a grievance in Spanish which appears to be a complaint you had with the telephones. It was responded to in Spanish.

Agree \_\_\_\_\_ Disagree \_\_\_\_\_ Without knowledge to agree or disagree \_\_\_\_\_.

If you disagree, explain. In explaining, please refer to Defendants' Exhibit 3 at page 3.

---

---

---

---

25. In response, you were told that you would have to contact your family and have them contact the Immigration and Naturalization Service (INS). You were told you could talk to the Chaplin but that he could not tell the INS to hurry and pick you up.

Agree \_\_\_\_\_ Disagree \_\_\_\_\_ Without knowledge to agree or disagree \_\_\_\_\_.

If you disagree, explain. In explaining, please refer to Defendants' Exhibit 3 at page 4.

---

---

---

---

26. On February 8, 2006, you submitted a request stating you had submitted a request

the day before for the sergeant and hadn't had a response yet. In response, you were told that the sergeants received requests daily from over 400 detainees and it sometimes took a few days to get an answer. You were told to be patient.

Agree\_\_\_\_\_ Disagree\_\_\_\_\_ Without knowledge to agree or disagree\_\_\_\_\_.

If you disagree, explain. In explaining, please refer to Defendants' Exhibit 3 at page 5.

---

---

---

---

27. On February 13, 2006, you submitted a request asking what your court date was. You stated it had been set that day but no one came for you. You were told that it was February 15th and your bond was \$75,000.

Agree\_\_\_\_\_ Disagree\_\_\_\_\_ Without knowledge to agree or disagree\_\_\_\_\_.

If you disagree, explain. In explaining, please refer to Defendants' Exhibit 3 at page 6.

---

---

---

---

28. On February 14, 2006, you submitted a medical request for a rash on your face and above your eyes. You asked for some cream.

Agree\_\_\_\_\_ Disagree\_\_\_\_\_ Without knowledge to agree or disagree\_\_\_\_\_.

If you disagree, explain. In explaining, please refer to Defendants' Exhibit 2 at page 13.

---

---

---

---

29. You were seen by Nurse Bradley the following day. She noted no rash or redness on your face or above your eyes. She indicated she would monitor the situation.

Agree\_\_\_\_\_ Disagree\_\_\_\_\_ Without knowledge to agree or disagree\_\_\_\_\_.

If you disagree, explain. In explaining, please refer to Defendants' Exhibit 2 at page 13.

---

---

---

---

30. On February 17, 2006, you submitted a request asking if you had any holds. You were told that you had an INS hold, a failure to appear charge, and your bond was \$75,000.

Agree\_\_\_\_\_ Disagree\_\_\_\_\_ Without knowledge to agree or disagree\_\_\_\_\_.

If you disagree, explain. In explaining, please refer to Defendants' Exhibit 3 at page 7.

---

---

---

---

31. On February 22, 2006, a legal assistance request was made on your behalf to the public defender. It was noted you had an INS hold you wanted to get resolved. It was noted you had family matters that needed your attention and that you did not speak English.

Agree\_\_\_\_\_ Disagree\_\_\_\_\_ Without knowledge to agree or disagree\_\_\_\_\_.

If you disagree, explain. In explaining, please refer to Defendants' Exhibit 3 at page 8.

---

---

---

32. On February 22, 2006, you submitted a medical request. You stated that you had written a request about a week ago asking to see the nurse. You stated you had not been seen. You stated that it was about your back and head. You said you were broken out bad all over. You didn't know if it was caused by the blanket or what.

Agree\_\_\_\_\_ Disagree\_\_\_\_\_ Without knowledge to agree or disagree\_\_\_\_\_.

If you disagree, explain. In explaining, please refer to Defendants' Exhibit 2 at page 14.

---

---

---

---

33. In response, it was noted that you had bumps on your back and head that were itchy and had been there about two weeks. You were put on the list to see the doctor and given a cotton blanket.

Agree \_\_\_\_\_ Disagree \_\_\_\_\_ Without knowledge to agree or disagree \_\_\_\_\_.

If you disagree, explain. In explaining, please refer to Defendants' Exhibit 23 at page 14.

---

---

---

---

34. Did you see Dr. Howard about the bumps on your back and head?

Answer: Yes \_\_\_\_\_ No \_\_\_\_\_.

If you answered yes, please state: (a) when you saw him; and (b) what treatment you received.

---

---

---

---

---

---



---

---

35. On February 22, 2006, you submitted a grievance asking why your request about your Father had been ignored. You asked how you could get a speedy trial. You stated you needed to see your Father before he died.

Agree \_\_\_\_\_ Disagree \_\_\_\_\_ Without knowledge to agree or disagree \_\_\_\_\_.

If you disagree, explain. In explaining, please refer to Defendants' Exhibit 3 at page 9.

---

---

---

---

36(A). In response, you were told that your requests had not been ignored. You were told that the Chaplain had been informed of your requests as had the sergeant. You were also told that they could not do anything about your INS hold.

Agree \_\_\_\_\_ Disagree \_\_\_\_\_ Without knowledge to agree or disagree \_\_\_\_\_.

If you disagree, explain. In explaining, please refer to Defendants' Exhibit 3 at page 9.

---

---

---

---

(B). Did you or your family contact the INS?

Answer: Yes \_\_\_\_\_ No \_\_\_\_\_.

If you answered no, please explain why you or your family did not contact the INS.

---

---

---

---

---

---

---

---

---

---

(C). Please explain how you believe Sheriff Helder could have dropped the INS charges or caused the INS to transport you to Mexico to see your Father?

Answer:

---

---

---

---

---

---

---

---

---

---

37. On February 28, 2006, you submitted a grievance in Spanish that was responded to in Spanish by Officer Hernandez.

Agree\_\_\_\_\_ Disagree\_\_\_\_\_ Without knowledge to agree or disagree\_\_\_\_\_.

If you disagree, explain. In explaining, please refer to Defendants' Exhibit 3 at page 10.

---

---

---

---

38. On February 28, 2006, you submitted a medical request to have the nurse examine a tumor on your back. You also stated you had neck problems.

Agree\_\_\_\_\_ Disagree\_\_\_\_\_ Without knowledge to agree or disagree\_\_\_\_\_.

If you disagree, explain. In explaining, please refer to Defendants' Exhibit 2 at page 15.

---

---

---

---

39. Nurse Moss examined you and noted a raised bump on the right side of your back that had been there about a week.

Agree\_\_\_\_\_ Disagree\_\_\_\_\_ Without knowledge to agree or disagree\_\_\_\_\_.

If you disagree, explain. In explaining, please refer to Defendants' Exhibit 2 at page

15.

---

---

---

---

40. On March 1, 2006, you were brought to the nurse's station complaining of an infection on your neck. Nurse Johnson examined you and noted a cyst like node on the back of your upper shoulder. It was raised about a ½ inch and was about the size of a half dollar. She noted it was grayish in color and had what appeared to be small capillary vessels in it. It was firm to the touch. You told her it came up about a week ago. She put you on the list to see Dr. Howard.

Agree \_\_\_\_\_ Disagree \_\_\_\_\_ Without knowledge to agree or disagree \_\_\_\_\_.

If you disagree, explain. In explaining, please refer to Defendants' Exhibit 2 at page

16.

---

---

---

---

41. Were you seen by Dr. Howard?

Answer: Yes \_\_\_\_\_ No \_\_\_\_\_.

If you answered yes, please state: (a) when you saw him; and (b) what treatment you received.

---

---

---

---

42. On March 2, 2006, you submitted a request to see your public defender ASAP.

Your request was faxed to the public defender's office.

Agree \_\_\_\_\_ Disagree \_\_\_\_\_ Without knowledge to agree or disagree \_\_\_\_\_.

If you disagree, explain. In explaining, please refer to Defendants' Exhibit 3 at page 24.

---

---

---

---

43. On March 9, 2006, you requested information on work release. You were told that you could not get work release on your charges.

Agree \_\_\_\_\_ Disagree \_\_\_\_\_ Without knowledge to agree or disagree \_\_\_\_\_.

If you disagree, explain. In explaining, please refer to Defendants' Exhibit 3 at page 12.

---

---

---

---

44. On March 10, 2006, you requested the address to immigration or access to the library. In response you were told to contact an outside source for the information and that access to a law library must be ordered by a judge.

Agree\_\_\_\_\_ Disagree\_\_\_\_\_ Without knowledge to agree or disagree\_\_\_\_\_.

If you disagree, explain. In explaining, please refer to Defendants' Exhibit 3 at page 13.

---

---

---

---

45. On March 12, 2006, you submitted a medical request. You stated that the cyst on your right shoulder was keeping you from sleeping at night. You said you were in bad pain. You indicated the pain was in your entire right side. You stated you could not take it anymore.

Agree\_\_\_\_\_ Disagree\_\_\_\_\_ Without knowledge to agree or disagree\_\_\_\_\_.

If you disagree, explain. In explaining, please refer to Defendants' Exhibit 2 at page 17.

---

---

---

---

46(A). In response, Nurse Moss prescribed Ibuprofen, three times daily, for fourteen

days, and put you on the list to see Dr. Howard.

Agree \_\_\_\_\_ Disagree \_\_\_\_\_ Without knowledge to agree or disagree \_\_\_\_\_.

If you disagree, explain. In explaining, please refer to Defendants' Exhibit 2 at page 17.

---

---

---

---

(B). You received the Ibuprofen.

Agree \_\_\_\_\_ Disagree \_\_\_\_\_ Without knowledge to agree or disagree \_\_\_\_\_.

If you disagree, explain. In explaining, please refer to Defendants' Exhibit 2 at page 21.

---

---

---

---

47(A). You were seen by Dr. Howard on March 15, 2006. Dr. Howard noted the cyst was not serious and needed to be removed when you got out. He prescribed Tylenol PM for three nights.

Agree \_\_\_\_\_ Disagree \_\_\_\_\_ Without knowledge to agree or disagree \_\_\_\_\_.

If you disagree, explain. In explaining, please refer to Defendants' Exhibit 2 at page 20.

---

---

---

---

(B). You received the Tylenol PM.

Agree \_\_\_\_\_ Disagree \_\_\_\_\_ Without knowledge to agree or disagree \_\_\_\_\_.

If you disagree, explain. In explaining, please refer to Defendants' Exhibit 2 at page 22.

---

---

---

---

48. On March 15, 2006, you submitted a request stating that you needed to be able to work in jail. You stated your children had not eaten in several days and your wife could not work because she did not have a social security number. You stated that you were in jail for drugs that were not yours.

Agree \_\_\_\_\_ Disagree \_\_\_\_\_ Without knowledge to agree or disagree \_\_\_\_\_.

If you disagree, explain. In explaining, please refer to Defendants' Exhibit 3 at page 14.

---

---

---



---

49. In response, you were told you were charged with failure to appear on underlying charges of breaking or entering and your bond amount was \$75,000. You also were told you had an INS hold. You were told you did not have any drug charges. Because you were not committed you were told you could not work as a trustee. In order for you to get out of jail, you were told you would have to bond out and then go with the INS.

Agree\_\_\_\_\_ Disagree\_\_\_\_\_ Without knowledge to agree or disagree\_\_\_\_\_.

If you disagree, explain. In explaining, please refer to Defendants' Exhibit 3 at page 14.

---

---

---

---

50. On March 16, 2006, you stated you wanted to be released from jail until it was time for you to be deported. You also asked to speak to someone who could speak Spanish about your case.

Agree\_\_\_\_\_ Disagree\_\_\_\_\_ Without knowledge to agree or disagree\_\_\_\_\_.

If you disagree, explain. In explaining, please refer to Defendants' Exhibit 3 at page 15.

---

---

---

---

---

51. In response, you were told that you could not be released from jail unless you bonded out. You were told you should probably speak to your public defender.

Agree\_\_\_\_\_ Disagree\_\_\_\_\_ Without knowledge to agree or disagree\_\_\_\_\_.

If you disagree, explain. In explaining, please refer to the Defendants' Exhibit 3 at page 15.

---

---

---

---

---

52. On March 20, 2006, you asked that a paper be faxed to the public defender's office. It was faxed.

Agree\_\_\_\_\_ Disagree\_\_\_\_\_ Without knowledge to agree or disagree\_\_\_\_\_.

If you disagree, explain. In explaining, please refer to Defendants' Exhibit 3 at pages 16-17.

---

---

---

---

---

53. On March 21, 2006, you submitted a medical request stating the medication the doctor gave you wasn't working. You stated you were hurting bad and you thought it might

be a tumor. You stated that just because you were an illegal didn't mean you didn't have rights. If they couldn't help you with your problem, you felt you should be sent back to your country. You believed you needed surgery. You asked that they get immigration over there so you could get help.

Agree \_\_\_\_\_ Disagree \_\_\_\_\_ Without knowledge to agree or disagree \_\_\_\_\_.

If you disagree, explain. In explaining, please refer to Defendants' Exhibit 2 at page 18.

---

---

---

---

54. In response, Nurse Moss stated that Dr. Howard had said they would give you Ibuprofen and monitor the cyst but they were not going to do anything with it now. She stated it was not a life threatening issue.

Agree \_\_\_\_\_ Disagree \_\_\_\_\_ Without knowledge to agree or disagree \_\_\_\_\_.

If you disagree, explain. In explaining, please refer to Defendants' Exhibit 2 at page 18.

---

---

---

---

55. On March 22, 2006, another request for you to speak to your public defender was

faxed to the public defender's office.

Agree \_\_\_\_\_ Disagree \_\_\_\_\_ Without knowledge to agree or disagree \_\_\_\_\_.

If you disagree, explain. In explaining, please refer to Defendants' Exhibit 3 at page 18.

---

---

---

---

56. On March 23, 2006, you submitted another request to speak to your public defender.

Agree \_\_\_\_\_ Disagree \_\_\_\_\_ Without knowledge to agree or disagree \_\_\_\_\_.

If you disagree, explain. In explaining, please refer to Defendants' Exhibit 3 at page 19.

---

---

---

---

57. On April 5, 2006, you submitted a request asking to talk to a corporal. You stated you wanted to know if someone else was using your name. You indicated there were some charges that were not yours.

Agree \_\_\_\_\_ Disagree \_\_\_\_\_ Without knowledge to agree or disagree \_\_\_\_\_.

If you disagree, explain. In explaining, please refer to Defendants' Exhibit 3 at page

20.

---

---

---

---

58. In response, you were told no one was using your name at that facility. If you were talking about Springdale. You were told you would have to contact them. If you were talking about your failure to appear, you were told that when they served your warrant they looked up your date of birth and social security number and the charges were yours.

Agree \_\_\_\_\_ Disagree \_\_\_\_\_ Without knowledge to agree or disagree \_\_\_\_\_.

If you disagree, explain. In explaining, please refer to Defendants' Exhibit 3 at page

20.

---

---

---

---

59. On April 6, 2006, you stated the April 5th request had been based on a misunderstanding. You asked if you could speak to a sergeant but he or she would need a translator because you did not speak very good English. In response, you were told before you could speak to a sergeant they would need to know why.

Agree \_\_\_\_\_ Disagree \_\_\_\_\_ Without knowledge to agree or disagree \_\_\_\_\_.

If you disagree, explain. In explaining, please refer to Defendants' Exhibit 3 at page

21.

---

---

---

---

60. On April 28, 2006, you requested legal envelopes and they were given to you.

Agree\_\_\_\_\_ Disagree\_\_\_\_\_ Without knowledge to agree or disagree\_\_\_\_\_.

If you disagree, explain. In explaining, please refer to Defendants' Exhibit 3 at page

22.

---

---

---

---

61. On May 10, 2006, you asked to talk to the nurse about a medical shave. In response, you were put on the shave list.

Agree\_\_\_\_\_ Disagree\_\_\_\_\_ Without knowledge to agree or disagree\_\_\_\_\_.

If you disagree, explain. In explaining, please refer to Defendants' Exhibit 2 at page

19.

---

---

---

---

62. On June 8, 2006, you submitted a request to see your public defender and your request was sent.

Agree\_\_\_\_\_ Disagree\_\_\_\_\_ Without knowledge to agree or disagree\_\_\_\_\_.

If you disagree, explain. In explaining, please refer to Defendants' Exhibit 3 at page 23.

---

---

---

---

63. You were taken to the Nurse's station to be seen by Nurse Johnson on June 8, 2006, about the cyst on your back. Nurse Johnson had Sgt. Wilson translate for her and she told you that you would have to have the cyst taken care of when you got out of jail.

Agree\_\_\_\_\_ Disagree\_\_\_\_\_ Without knowledge to agree or disagree\_\_\_\_\_.

If you disagree, explain. In explaining, please refer to Defendants' Exhibit 2 at page 20.

---

---

---

---

64. On June 27, 2006, you were served with an arrest warrant for no liability insurance, no driver's license, and improper use of evidence of registration.

Agree\_\_\_\_\_ Disagree\_\_\_\_\_ Without knowledge to agree or disagree\_\_\_\_\_.

If you disagree, explain. In explaining, please refer to Defendants' Exhibit 1 at page 14.

---

---

---

---

65(A). You were seen by Dr. Howard on July 25, 2006, for multiple pimples on your back and arm and prescribed doxycycline.

Agree \_\_\_\_\_ Disagree \_\_\_\_\_ Without knowledge to agree or disagree \_\_\_\_\_.

If you disagree, explain. In explaining, please refer to Defendants' Exhibit 2 at page 20.

---

---

---

---

(B). You received the doxycycline.

Agree \_\_\_\_\_ Disagree \_\_\_\_\_ Without knowledge to agree or disagree \_\_\_\_\_.

If you disagree, explain. In explaining, please refer to Defendants' Exhibit 2 at page 23.

---

---

---



---

66. Dr. Howard provided you all medical care he believed in the exercise of his medical judgment was necessary.

Agree\_\_\_\_\_ Disagree\_\_\_\_\_ Without knowledge to agree or disagree\_\_\_\_\_.

If you disagree, explain.

---

---

---

---

---

---

---

---

---

---

67. Have you received any additional medical care for your cyst?

Answer: Yes \_\_\_\_\_ No \_\_\_\_\_.

If you answered yes, please explain what additional medical care you have received.

---

---

---

---

---

---

---

---

---

---

If you answered no, please explain how the condition of the cyst has changed since you filed the complaint in this case.

---

---

---

---

---

---

---

---

---

---

68. Please explain in detail how you believe Dr. Howard exhibited deliberate indifference to your serious medical needs.

Answer:

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

69. Please explain in detail how you believe Sheriff Helder violated your federal constitutional rights. In doing so, please state whether you ever personally spoke to, or communicated directly with, Sheriff Helder.

Answer:

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

Detail below any further response you would like to make to the motion for summary judgment. If you have any exhibits you would like the court to consider, you may attach them to this response.

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---



---

---

---

---

---

---

---

---

---

---

---

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS  
TRUE AND CORRECT.

EXECUTED ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2007.

\_\_\_\_\_  
ANTONIO RODRIGUEZ